

Possession of Dangerous Weapons	C.14
<i>Adopted: October 11, 2022</i>	

To provide a safe environment for the students and staff of Hilldale Public Schools, the Board of Education adopts this policy prohibiting the possession and/or use of dangerous weapons, replicas or facsimiles of dangerous weapons and items or instrumentalities used to threaten harm or to harm any person.

Dangerous weapons, including but not limited to firearms, are a threat to the safety of the students and staff of the district. In addition, possession of dangerous weapons, or replicas or facsimiles of dangerous weapons, disrupts the educational process and interferes with the normal operation of the district.

For the foregoing reasons and except as specifically provided in this policy, possession by any student or employee of a dangerous weapon, as that term is defined in this policy, or a replica or facsimile of a dangerous weapon, while on school property, at a school-sponsored activity, or on a school bus or vehicle, is prohibited. Further, use of any item or instrumentality by a student or employee to threaten harm to any person or which is used to harm any person, while on school property, at a school-sponsored activity, or on a school bus or vehicle, is prohibited.

For purposes of this policy, "possession of a dangerous weapon" includes, BUT IS NOT LIMITED TO, any person having a dangerous weapon: (1) on his/her person; (2) in his/her locker; (3) in his/her vehicle; (4) held by another person for his/her benefit; or (5) at any place on school property, a school bus or vehicle, or at a school activity.

A dangerous weapon includes, BUT IS NOT LIMITED TO, a pistol, revolver, rifle, shotgun, air gun or spring gun, B-B gun, stun gun, hand grenades, fireworks, slingshot, bludgeon, blackjack, brass knuckles or artificial knuckles of any kind, nun-chucks, dagger, bowie knife, dirk knife, butterfly knife, any knife with a blade that is perceived as a weapon, any pen knife, "credit card" knife, razor, dart, ice pick, explosive smoke bomb, incendiary device, sword cane, hand chains, firearm shells or bullets, garrotes, choking devices, and any item whose principal purpose is for use as a weapon, whether offensive or defensive, and any replica or facsimiles of any of the foregoing items, or any item or instrumentality used to threaten harm or to harm any person or any chemical, material or substance that can cause an irritation to or reacts with human tissue, or any chemical, material or substance used, given, applied to or administered to another person without that person's consent. THE FOREGOING LIST OF "DANGEROUS WEAPONS" IS DESCRIPTIVE AND BY WAY OF EXAMPLE ONLY AND IS NOT TO BE CONSIDERED AN EXCLUSIVE OR LIMITING LIST OF DANGEROUS WEAPONS. IT WILL NOT BE A DEFENSE TO ANY DISCIPLINARY ACTION UNDER THIS POLICY THAT THE STUDENT OR EMPLOYEE POSSESSING THE DANGEROUS WEAPON DID NOT KNOW THAT IT IS A DANGEROUS WEAPON, BUT SUCH CLAIM OF A LACK OF KNOWLEDGE MAY BE CONSIDERED IN MITIGATION OF ANY DISCIPLINARY PENALTY.

Any student in possession of a dangerous weapon, or replica or facsimile of a dangerous weapon, in violation of this policy or who uses any item or instrumentality to threaten harm to any person or is used to harm any person may be placed under emergency suspension from school, pending an investigation of the incident by the appropriate school or legal authorities. Students who violate this policy may be suspended from school and all school activities for any period of time up to the maximum period authorized by law. Additionally, appropriate school staff members may seek to file criminal charges against the student.

Any employee in possession of a dangerous weapon, or replica or facsimile of a dangerous weapon, in violation of this policy may, pursuant to applicable board policy, be placed under immediate suspension from duties pending an investigation of the incident by the appropriate school or legal authorities and may be dismissed or subjected to or other disciplinary action as deemed appropriate by the superintendent or board of education. In addition, district employees who willfully or negligently fail to enforce this policy are subject to disciplinary action, which may include dismissal. Any disciplinary action for any employee, including dismissal, will be in accordance with any board policy and any negotiated agreement that is applicable to the employee.

If a teacher or other school employee has a reasonable suspicion to believe that a student is in possession of a dangerous weapon, or a replica or facsimile of a dangerous weapon, the teacher or employee shall immediately investigate the matter and shall confiscate any such weapon found if this can be accomplished without placing any students or staff in jeopardy, and shall immediately notify the principal or the principal's designee. If the teacher or employee does not believe that the weapon can be confiscated safely, the teacher or employee shall immediately notify the principal or the principal's designee of the situation.

If a teacher or other school employee has a reasonable suspicion to believe that any employee or other person is in possession of a dangerous weapon, or a replica or facsimile of a dangerous weapon, in violation of this policy, he or she shall immediately report the matter to the immediate supervisor or the superintendent or designee.

If the principal or designee learns that a student or employee is believed to be in possession of a dangerous weapon or replica or facsimile thereof, the principal or designee shall observe the following procedure:

1. Immediately investigate the matter and contact the police, if appropriate.
2. If not already confiscated by an employee of the district and if it can be accomplished without risk of injury, the principal or designee should take possession of the dangerous weapon or replica or facsimile.
3. Notify the superintendent or designee.
4. In the case of a student, notify the parents.
5. Cooperate fully with the police.
6. Transfer the confiscated weapon to the police department.

A student who has been suspended from another school district because of the possession of a dangerous weapon, or replica or facsimile of a dangerous weapon, shall not be accepted as a transfer student into the district.

An exception to this policy may be granted for students or employees participating in an authorized curricular or extracurricular activity or team involving the use or demonstration of a dangerous weapon, or replica or facsimile of a dangerous weapon. For this exception, prior written approval by the principal, in consultation with the superintendent, is required.

A student or employee's inadvertent or unintentional possession of a dangerous weapon or replica or facsimile thereof on school property, a school bus or vehicle, or at a school activity is no defense or excuse to compliance with this policy, but may be considered in determining the length or severity of any punishment for violation of this policy.

Notwithstanding any of the foregoing provisions, rights of due process for all students and rights of disabled students must be observed in accordance with applicable law and school board policies.